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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------|-------------|----------------------|---------------------|------------------|
| 10/687,503 | 10/15/2003 | Kevin Doll | END-887CIP | 9046 |
| 27777 | 7590 | 04/15/2008 | EXAMINER | |
| PHILIP S. JOHNSON | | | | WEEKS, GLORIA R |
| JOHNSON & JOHNSON | | ART UNIT | | PAPER NUMBER |
| ONE JOHNSON & JOHNSON PLAZA | | 3721 | | |
| NEW BRUNSWICK, NJ 08933-7003 | | | | |
| | | MAIL DATE | | DELIVERY MODE |
| | | 04/15/2008 | | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/687,503 | DOLL ET AL. | |
| | Examiner | Art Unit | |

GLORIA R. WEEKS
3721

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to RCE (5/31/07).
2. The allowed claim(s) is/are 1, 3-10 and 12-22.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

| | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date <u>5/31/07</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input checked="" type="checkbox"/> Other <u>Acknowledgement of IDS</u>. |
|--|---|

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on May 31, 2007 has been entered.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on May 31, 2007 was filed after the mailing date of the Notice of Allowance on April 2, 2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dean Garner on July 18, 2006.

4. The application has been amended as follows to update continuation information and overcome 112 2nd Paragraph rejections:

SPECIFICATION:

Paragraph 1 line 2, insert the phrase - -,USPN 7,044,352,- - after the number "10/441,424".

CLAIMS:

In claim 1 line 9, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 1 line 10, the term "wedge" has been replaced with the phrase - -wedge member- - ;

In claim 3 line 1, the phrase "claim 2" has been replaced with the phrase - -claim 1- -;

In claim 4 line 1, the term "wedge" has been replaced with the phrase - -wedge member- - ;

In claim 4 line 2, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 4 line 4, the phrase "lockout" has been replaced with the phrase - - lockout mechanism - -.

In claim 8 line 2, the phrase "firing member" has been replaced with the phrase - - firing bar - -.

In claim 8 line 2, the phrase "locking member" has been replaced with the phrase - - lockout mechanism - -;

In claim 10 line 11, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 10 line 12, the term "wedge" has been replaced with the phrase - -wedge member- - ;

In claim 12 line 1, the phrase "claim 11" has been replaced with the phrase - - claim 10 - -;

In claim 13 lines 1 & 5, the term "channel" has been replaced with the phrase - - elongate channel- -;

In claim 13 line 5, the phrase "biasing member" has been replaced with the phrase - - biasing feature- - ;

In claim 14 line 2, the term "on" has been replaced with the term - - one- -;

In claim 16 line 2, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 17 line 1, the term "wedge" has been replaced with the phrase - - wedge member- -;

In claim 17 line 2, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 17 line 4, the phrase "lockout" has been replaced with the phrase - - lockout mechanism - -;

In claim 20 line 2, the term "channel" has been replaced with the phrase - - elongate channel- -;

In claim 20 line 3, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 21 line 1, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 21 line 2, insert the term - -edge- - following the term "sharp";

In claim 22 lines 9 & 14, the phrase "firing member" has been replaced with the phrase - - firing bar - -;

In claim 22 line 11, the term "wedge" has been replaced with the phrase - - wedge member- -;

In claim 22 line 13, the phrase "ring trigger" has been replaced with the phrase - - firing trigger-.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GLORIA R. WEEKS whose telephone number is (571)272-4473. The examiner can normally be reached on M-F 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Other helpful telephone numbers are listed for applicant's benefit:

- Allowed Files & Publication (888) 786-0101
- Assignment Branch (800) 972-6382
- Certificates of Correction (703) 305-8309
- Fee Questions (571) 272-6400
- Inventor Assistance Center (800) PTO-9199
- Petitions/special Programs (571) 272-3282
- Information Help line 1-800-786-9199

Gloria R. Weeks
Examiner
Art Unit 3721

grw
April 15, 2008

/Rinaldi I Rada/
Supervisory Patent Examiner, Art Unit 3721